



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

March 6, 1998

Ms. Pamela Wolek  
Assistant City Attorney  
City of Amarillo  
P.O. Box 1971  
Amarillo, Texas 79105-1971

OR98-0622

Dear Ms. Wolek:

You ask whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 113215.

The Amarillo Municipal Court (the "court") received a request for a copy of a particular citation. You contend that section 58.007 of the Family Code prohibits the disclosure of the citation. You also claim that the citation is excepted from disclosure under section 552.108 of the Government Code.

Section 58.007 of the Family Code does not make citations for traffic offenses confidential. *See* Fam. Code §§ 51.02(16) (definition of traffic offense), 51.03(a) (delinquent conduct does not include traffic offense), 51.03(b) (conduct indicating need for supervision does not include traffic offense), 58.007(b) (section applies to records and files relating to child who is party to proceeding under Title 3 of Family Code). Thus, we conclude that section 58.007 does not prohibit the court from releasing the requested citation.

As for your claim that section 552.108 of the Open Records Act protects the citation from disclosure, we note that the Open Records Act does not apply to records of the judiciary. Gov't Code § 552.003(B). The citation is maintained by the municipal court and, therefore, is not subject to the Open Records Act. Attorney General Opinion DM-166 (1992). As a record of the judiciary, however, the citation may be public by other sources of law. Attorney General Opinions DM-166 (1992) at 2-3 (public has general right to inspect and copy judicial records), H-826 (1976); Open Records Decision No. 25 (1974); *see Star-Telegram, Inc. v. Walker*, 834 S.W.2d 54, 57 (Tex. 1992) (documents filed with courts are generally considered public and must be released). Additionally, the citation may be subject to disclosure under statutory law governing municipal courts. *See* Gov't Code § 29.007(d)(4) (complaints filed with municipal court clerk); *id.* § 29.007(f) (municipal court

clerks shall perform duties prescribed by law for county court clerk); Local Gov't Code § 191.006 (records belonging to office of county clerk shall be open to public unless access restricted by law or court order).

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have any questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink that reads "Karen Hattaway". The signature is written in a cursive, flowing style.

Karen E. Hattaway  
Assistant Attorney General  
Open Records Division

KEH/ch

Ref: ID# 113215

Enclosures: Submitted documents

cc: Mr. Charles Keith  
12040 Indian Hill Rd.  
Amarillo, Texas 79124  
(w/o enclosures)